

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LISE RUBIN,

Plaintiff,
-against-
NEW YORK CITY BOARD OF EDUCATION, et al.,
Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 8/3/2022

ORDER

20-CV-10208 (LGS) (KHP)

KATHARINE H. PARKER, United States Magistrate Judge.

The Court is in receipt of Defendant's letter at ECF No. 199 and Plaintiff's letter at ECF No. 200.

Regarding Defendant's letter, the Court confirms that, pursuant to the undersigned's individual rules, a pre-motion conference is required before a motion for sanctions can be filed. Accordingly, Plaintiff is not permitted to serve a Rule 11 motion for sanctions prior to the pre-motion conference scheduled for October 6, 2022, and Defendants are not at this time required to respond to any of Plaintiff's filings regarding sanctions. The Court will discuss the proposed motion for sanctions with the parties at the conference and, as appropriate, will set a briefing schedule for the motion at that time.

Regarding Plaintiff's letter, to the extent the letter requests a stay of the Motion to Dismiss pending a motion for sanctions, this request is denied. Plaintiff should include any arguments in opposition to Defendants' Motion to Dismiss in her opposition brief, which is due on Friday, August 5, 2022, and the Court will consider these arguments in ruling on the Motion

to Dismiss. To the extent Plaintiff has any viable arguments for sanctions, these will be considered separately after the Motion to Dismiss is fully briefed.¹

Additionally, to the extent Plaintiff's letter requests that the pre-motion conference be moved earlier, this request is denied. The Court will not move the conference to an earlier date. The Court will only adjourn the conference to a *later* date if either party presents a compelling reason, or if the Court needs to adjourn the conference due to scheduling conflicts. The Court is aware of the upcoming Jewish holidays, and notes that October 6, 2022 is not a Jewish Holiday.

Plaintiff shall not submit another request seeking a stay of the Motion to Dismiss pending the pre-motion conference on the motion for sanctions or seeking to move the pre-motion conference to an earlier date.

SO ORDERED.

Dated: New York, New York
August 3, 2022



KATHARINE H. PARKER
United States Magistrate Judge

¹ See, *Elnenae v. JP Morgan Chase Bank, N.A.*, 2021 WL 7908624, at *1 (E.D.N.Y. Sept. 13, 2021) (denying preliminary injunction where plaintiff moved for sanctions against Defendants for their purportedly frivolous motion to dismiss and the Court held the motion for sanctions in abeyance while the motion to dismiss remained pending).